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CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
CLEVELAND

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

MICHAEL CLEVELAND

Defendant.

) INDICTMENT

)
) **1:17 CR 29**
) **JUDGE PEARSON**

) CASE NO.

) Title 21, Sections 841(a)(1) and (b)(1)(C),

) United States Code

) Title 21, Section 843(b), United States Code

COUNT 1

The Grand Jury charges:

On or about August 2, 2016, in the Northern District of Ohio, Eastern Division,
MICHAEL CLEVELAND, the defendant herein, did knowingly and intentionally distribute a
mixture or substance containing a detectable amount of heroin, a Schedule I controlled
substance, and fentanyl, a Schedule II controlled substance, in violation of Title 21, United States
Code, Sections 841(a)(1) and (b)(1)(C).

ENHANCED PENALTY UNDER TITLE 21,
UNITED STATES CODE, SECTION 841(b)(1)(C)

(Death or Serious Bodily Injury Resulting from Use of Controlled Substance)

The allegations of Count 1 are hereby re-alleged and incorporated herein. On or about
August 3, 2016, in the Northern District of Ohio, IND-1, a person whose identity is known to the

Grand Jury, did fatally ingest and overdose on a controlled substance or substances, namely fentanyl and heroin, that MICHAEL CLEVELAND had distributed to IND-1.

As a result of MICHAEL CLEVELAND's distribution of fentanyl and heroin as alleged in Count 1, death did result from the use of heroin, a Schedule I controlled substance, and fentanyl, a Schedule II controlled substance, in violation of the enhanced penalty provisions of Title 21, United States Code, Section 841(b)(1)(C).

COUNT 2

The Grand Jury further charges:

On or about August 2, 2016, in the Northern District of Ohio, Eastern Division, MICHAEL CLEVELAND, the defendant herein, did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 843(b).

COUNT 3

The Grand Jury further charges:

On or about September 14, 2016, in the Northern District of Ohio, Eastern Division, MICHAEL CLEVELAND, the defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 4

The Grand Jury further charges:

On or about September 14, 2016, in the Northern District of Ohio, Eastern Division, MICHAEL CLEVELAND, the defendant herein, did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 843(b).

COUNT 5

The Grand Jury further charges:

On or about September 28, 2016, in the Northern District of Ohio, Eastern Division, MICHAEL CLEVELAND, the defendant herein, did knowingly and intentionally distribute a mixture or substance containing a detectable amount of heroin, a Schedule I controlled substance, and fentanyl, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C).

COUNT 6

The Grand Jury further charges:

On or about September 28, 2016, in the Northern District of Ohio, Eastern Division, MICHAEL CLEVELAND, the defendant herein, did knowingly and intentionally use a communication facility, to wit: a telephone, to facilitate acts constituting a felony under Title 21, United States Code, Section 841(a)(1), in violation of Title 21, United States Code, Section 843(b).

FORFEITURE

The Grand Jury further charges:

For the purpose of alleging forfeiture pursuant to Title 21, United States Code, Section 853, the allegations of Counts 1-6 are incorporated herein by reference. As a result of the foregoing offenses, MICHAEL CLEVELAND, the defendant herein, shall forfeit to the United States any and all property constituting, and derived from, any proceeds he obtained, directly and indirectly, as the result of such violations; and any and all of his property used and intended to be used, in any manner and part, to commit and to facilitate the commission of such violations.

A TRUE BILL.

Original document -- Signatures on file with the Clerk of Courts pursuant to the E-Government Act of 2002.